

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA, )  
Plaintiff, )  
vs. ) No. 4:19-CR-494-AGF-NCC  
LAMAR MILLER, )  
Defendant. )

## **MOTION FOR PRE-TRIAL DETENTION AND HEARING**

Comes now the United States of America, by and through its attorneys, Jeffrey B. Jensen, United States Attorney for the Eastern District of Missouri, and Anthony Franks, Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the United States of America states as follows:

1. Defendant is currently in state custody at the St. Louis County Jail on charges of assault - 1<sup>st</sup> degree or attempt, armed criminal action, and unlawful use of weapon. Defendant was indicted on those charges on or about March 13, 2019 and has not posted bond (\$200,000 bond, 10% cash only). Thus, even if defendant is released on bond in the instant case, he would return to state custody.
  2. Defendant is charged in the instant case with possession of a machinegun, in violation of Title 18, United States Code, Section 922(o).
  3. Pursuant to Title 18, United States Code, Section 3142(g) and the factors below, defendant's detention pending trial is warranted based upon:

- (a) the weight of the evidence against defendant where here he was found in possession of a machinegun and verbally admitted in recorded statements to law enforcement that he possessed this firearm;
- (b) defendant's history and characteristics; and
- (c) the nature and seriousness of the danger to any person or the community that would be posed by defendant's release warrant defendant's detention pending trial in that defendant was found in possession in this case of a firearm that was illegally modified and rendered more dangerous than the legal firearm from which it was modified. In addition, in the case in which he is being currently held in state custody, defendant is alleged to have been involved in a shooting in which he shot at another person in a motor vehicle in St. Louis County on January 2, 2018.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

JEFFREY B. JENSEN  
United States Attorney

/s Anthony Franks  
ANTHONY FRANKS #50217MO  
ASSISTANT UNITED STATES ATTORNEY